

**MINUTES OF REGULAR BOARD MEETING
JANUARY 10, 1991 CHICAGO, ILLINOIS**

All Board Members were present.

An Opinion and Order was adopted in #AC 89-258 (Docket A & B), Donald Taylor, by a vote of 6-0. J. Dumelle abstained. (BF)

An Opinion and Order was adopted in #AC 90-42 (Docket A & B), Robert Wheeler, by a vote of 7-0. (BF)

In R88-14, Pharmaceutical VOM Emissions, a Proposed Rule, Second Notice, Proposed Order was adopted by a vote of 7-0. (JD)

R88-30(B), Gasoline Volatility Reduction, an Adopted Rule, Final Order, Opinion and Order was adopted by a vote of 7-0. (JD)

Default Orders were adopted in these Administrative Citations by a vote of 7-0: ##90-89, W.W. Sanitation; 90-90, Everett Allen; 90-92, Everett Allen; 90-93, Lincoln/Logan Landfill; 90-94, Ray Doerr.

A Modified Default Order was adopted in #AC 89-289, -290, James Gilmer and Archer-Daniels-Midland, by a vote of 7-0. (JCM)

By a vote of 7-0, an Agency motion for extension of time to file its brief was granted until February 1, 1991, and Petitioner's reply brief is due to be filed no later than February 20, 1991 in #85-140, Citizens Utilities Company. (MN)

An Order accepting Petitioner's statement of justification for its claim for confidentiality in pages 17, 18, 46, 47, 47a, 47b, 47c and 47d of its Engineering Evaluation Report and directing Petitioner to file with the Board one copy of the report with the confidential information expunged so that the Board may properly place the report with the expunged information in its public files, was adopted in #88-172, Allied-Signal, by a vote of 7-0. (MN)

By a vote of 7-0, the Board on its own motion, ordered the Petitioner to submit a status report to the Board within 15 days or the appeal in #88-195, McLean County Disposal Service, will be subject to dismissal. (JTM)

By a vote of 7-0, the Board on its own motion, ordered the Complainant's brief to be filed by February 10, 1991, the Respondent's brief to be filed by March 12, 1991 and any reply brief to be filed by March 26, 1991, in #89-158, Gilbertson Clybourn, or the case will be subject to dismissal for want of prosecution. (BF)

Petitioner's motion to clarify a November 29, 1990 Board Order

was granted in #89-184, The Grigoleit Company, by a vote of 6-1. J. Dumelle dissented. (JA)

An Order advising the parties that since the transcript of the December 20, 1990 hearing in #90-146, Village of Matteson, indicates that the motion to quash Subpoena and Petition for Interlocutory Appeal are now moot, the Board will not rule on these matters. The vote was 7-0. (BF)

Respondent's motion to dismiss was denied in #90-161, Columbia Quarry, by a vote of 7-0. (JD)

Respondent's motion for reconsideration was denied in #90-182, S. Scott Coggeshall, by a vote of 7-0. (BF)

An Order, granting Petitioner's motion for expedited decision and an Agency motion to file its amended Recommendation Instantly, was adopted in #90-226, City of Toluca, by a vote of 7-0. (JCM)

An Order directing the County Clerk to file three copies of an accurately paginated County Record as well as a revised Index of the Record reflecting the accurate page numbers, granting the County permission to file just one original of certain oversized exhibits which must be properly identified and labelled and, directing the Clerk of the Board to contact the County Clerk to arrange for filing of the corrected record no later than February 1, 1991, was adopted in #90-239, Madison County Conservation Alliance, by a vote of 7-0 (BF)

By a vote of 7-0, the Petition in R90-23, General Motors Corporation, was accepted for hearing. (BF)

These cases were discussed and held to January 24, 1991 for further discussion or possible decision: ##89-61, Village of Beecher; 89-72, Olin Chemicals; AC 89-156 (A & B), John Gordon; 89-205, Vito Zivoli; 90-122, City of Lockport; 90-126, Marathon Petroleum; 90-177, A.K.A. Land; 90-181, Village of Sauget; 90-183, Gallatin National; 90-194, Village of Seneca.

These regulatory matters were discussed and held to January 24, 1991 for further discussion or possible decision: R87-37, PWS Cross-Connection, Proposed Rule, First Notice, Opinion and Order; R90-7, Agriculture-Related Pollution, Proposed Rule, First Notice, Opinion and Order.

This Adjusted Standard was discussed and held to January 24, 1991 for further discussion or possible decision: #89-2, Elizabeth Street Foundry.

In new cases these actions were taken by a vote of 7-0: ##90-184, EPA v. Hopper Paper Division, Pacific Georgia Corporation and Taylorville Sanitary District, the complaint and

third party complaint filed by the Taylorville Sanitary District against Metcalf & Eddy Services, Inc. may proceed to hearing as appropriate, Order by J.C. Marlin; 90-200, Vito Zivoli and Stella Podczerwinski v. Somebody's Bar and Restaurant, accepted for hearing, Order by J.C. Marlin; 90-242, The Ensign Bickford Company and The Trojan Corporation v. EPA, accepted for hearing, Order by B. Forcade; 90-243, Finks and Austman v. EPA, held to January 18, 1991 Special Board Meeting; 90-244, General Electric Company v. EPA, accepted for hearing, Order by B. Forcade; 91-1, Alton Community Unit School District No. 11, Alton/Mark Twain School v. EPA, accepted for hearing, Order by B. Forcade; 91-2, Olin Corporation v. EPA, held for Agency Recommendation; 91-3, Cerro Copper Products Company v. EPA, accepted for hearing, Order by B. Forcade; 91-4, Sexton Environmental Systems, Inc. v. EPA, accepted for hearing, Order by B. Forcade; 91-5, Marjorie B. Campbell v. EPA, accepted for hearing, Order by B. Forcade; R91-1, RCRA Update, USEPA Regulations (July 1, 1990 through December 31, 1990), Docket Reserved; R91-2, UST Update, USEPA Regulations (July 1, 1990 through December 31, 1990), Docket Reserved; R91-3, SDWA Update, USEPA Regulations (July 1, 1990 through December 31, 1990), Docket Reserved; R91-4, UIC Update, USEPA Regulations (July 1, 1990 through December 31, 1990), Docket Reserved; R91-5, Pretreatment Regulations (July 1, 1990 through December 31, 1990), Docket Reserved.

Because a petition for review was received, a hearing will be set in this Administrative Citation: #90-91, Bernard Leitschuh.

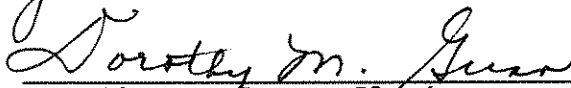
These Administrative Citations were received by the Board: ##90-98, Lincoln/Logan Landfill; 90-99, Richard Gorazd, Jr.

Minutes of the December 20, 1990 Board Meeting were approved as corrected by a vote of 7-0.

The Board will hold a Special Board Meeting on Friday, January 18, 1991 at 1:00 p.m. The Clerk will post a notice.

All other matters not disposed of as listed were ordered held to January 24, 1991 for possible consideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Minutes were approved this 24th day of January, 1991, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
FINAL AGENDA
JANUARY 10, 1991 CHICAGO, ILLINOIS
CONFERENCE ROOM 9-040
10:30 A.M.

DECISIONS:

89-61 Village of Beecher (JCM) _____
AC 89-258 Donald Taylor (BF) _____
(A & B)
AC 90-42 Robert Wheeler (BF) _____
(A & B)
R88-14 Pharmaceutical VOM Emissions, Proposed Rule, Second
Notice, Proposed Order (JD) _____
R88-30 Gasoline Volatility Reduction, Adopted Rule, Final
(B) Order, Opinion and Order (JD) _____

AC DECISIONS:

90-89 W.W. Sanitation _____
90-90 Everett Allen _____
90-92 Everett Allen _____
90-93 Lincoln/Logan Landfill, Inc. _____
90-94 Ray Doerr _____

AC MOTIONS:

89-215 Omer Thomas - Board Order (BF) _____
89-289) James Gilmer - Archer-Daniels Midland - Respondents'
89-290) motion for leave to withdraw Petitions for Review
(A & B) _____

MOTIONS:

- 85-140 Citizens Utilities - Agency motion for extension of time to file brief (1/9)(MN)
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- 88-172 Allied-Signal - Petitioner's response to November 29, 1990 Board Order (1/4)(MN)
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- 88-195 McLean County Disposal - Board Order (JTM)
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- 89-158 Gilbertson Clybourn - Board Order (BF)
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- 89-170 Centralia Environmental Services - Respondent's motion to reconsider and modify October 25, 1990 Opinion and Order (11/29), Petitioner's second motion for extension of time to respond to Respondent's motion to reconsider and modify (12/31), Petitioner's motion to file response to Respondent's motion to reconsider Instantly (1/7)(MN)
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- 89-184 The Grigoleit Company - Petitioner's motion to clarify November 29, 1990 Board Order (12/28)(JA)
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- 90-62 Sure-Tan, Inc. - Respondent's motion to reopen hearing (12/27)
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- 90-146 Village of Matteson - motion for leave to take interlocutory appeal from December 17, 1990 ruling of Hearing Officer (12/18)
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- 90-161 Columbia Quarry - Respondent's motion to dismiss (11/26), Agency response to Respondent's motion to dismiss (12/5)(JCM)
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- 90-173 Earl Bradd - Petitioner's motion to strike Agency's Denial Letter (1/3), Agency response to Petitioner's motion to strike (12/31)(JA)
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- 90-182 S. Scott Coggeshall - Respondent's motion for reconsideration (1/7)(BF)
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- 90-226 City of Toluca - Petitioner's motion for expedited decision (12/31), Agency motion to file amended Recommendation Instantly (1/2)(JCM)
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- 90-239 Madison County - Board Order (BF)
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- R90-23 General Motors Corporation - Board Order (BF)
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DISCUSSIONS:

- * 89-72 Olin Chemicals (BF)(due 2/8)_____
- AC 89-156 John Gordon (BF)_____
- 89-205 Vito Zivola (MN)_____
- * 90-122 City of Lockport (JCM)(due 1/24)_____
- * 90-126 Marathon Petroleum (JD)(due 1/24)_____
- 90-177 A.K.A. Land (JD)(due 1/24)_____
- * 90-181 Village of Sauget (JTM)(due 1/24)_____
- * 90-183 Gallatin National (JA)(due 1/24)_____
- * 90-194 Village of Seneca (JCM)(due 2/7)_____

REGULATORY DISCUSSIONS:

- R87-37 PWS Cross-Connection, Proposed Rule, First Notice,
Opinion and Order (JD)_____
- R90-7 Agriculture-Related Pollution, Proposed Rule, First
Notice, Opinion and Order (RF)_____

ADJUSTED STANDARDS DISCUSSIONS:

- 89-2 Elizabeth Street Foundry (JD)_____

NEW CASES:

- 90-184 EPA v. Hopper Paper Division, Pacific Georgia
Corporation and Taylorville Sanitary District (See Third
Party Complaint filed 10/22)(JCM)
- 90-200 Vito Zivola and Stella Podczerwinski v. Somebody's Bar
and Restaurant_____
- 90-242 The Ensign Bickford Company and The Trojan Corporation
v. EPA (See also Petitioner's motion to substitute
Affidavit filed 12/26)_____
- 90-243 Finks and Austman v. EPA (See also Agency motion to
dismiss filed 1/7)_____

NEW CASES: (Cont'd)

- 90-244 General Electric Company v. EPA (BF)

- 91-1 Alton Community Unit School District No. 11, Alton/Mark
Twain School v. EPA _____
- 91-2 Olin Corporation v. EPA _____
- 91-3 Cerro Copper Products Company v. EPA (BF)

- 91-4 Sexton Environmental Systems, Inc. v. EPA (BF)

- 91-5 Marjorie B. Campbell v. EPA _____
- R91-1 RCRA Update, USEPA Regulations (July 1, 1990 through
December 31, 1990) (RESERVED)
- R91-2 UST Update, USEPA Regulations (July 1, 1990 through
December 31, 1990) (RESERVED)
- R91-3 SDWA Update, USEPA Regulations (July 1, 1990 through
December 31, 1990) (RESERVED)
- R91-4 UIC Update, USEPA Regulations (July 1, 1990 through
December 31, 1990) (RESERVED)
- R91-5 Pretreatment Regulations (July 1, 1990 through December
31, 1990) (RESERVED)
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AC APPEALS:

- 90-91 Bernard Leitschuh _____
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NEW AC CASES:

- 90-98 Lincoln/Logan Landfill _____
- 90-99 Richard Gorazd, Jr. _____
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MINUTES:

- December 20, 1990 Board Meeting _____

POSSIBLE CHANGE IN MEETING DATE:

From May 23, 1991 to May 24, 1991 (per Mr. Dumelle's request)

PENDING CASES ASSIGNED:

* 85-140 Citizens Utilities (Remand)(MN)
 * 85-166 Citizens Utilities (JTM)(open waiver)
 86-1 City of Peru CSO (JTM)
 86-2 City of LaSalle CSO (JTM)
 86-3 City of Oglesby CSO (JA)
 86-56 Trilla Steel Drum (Remand)(BF)
 86-57) Village of Sauget (Remand)(RF)
 86-58)
 86-62) Monsanto Company (Remand)(RF)
 86-63)
 86-161 Elizabeth Street Foundry (JD)
 * 87-91 American Steel Container, Drum Shop (MN)(due 3/28)
 * 87-131 Amerock Corporation (JTM)
 AS 88-2 Stepan Company (JM)
 * 88-25 Modine Manufacturing (JA)(open waiver)
 * 88-78 Abbott Laboratories (JD)(open waiver)
 88-98 IBP, Inc. (Remand)(BF)
 * 88-193 General Motors Corporation (JD)(open waiver)
 * 88-195 McLean County Disposal (JTM)(open waiver)
 AS 89-3 The Nutrasweet Company (BF)
 89-44) Kathy Western & Jeffrey Western (BF)
 89-87)
 89-64 Gallagher Asphalt (BF)
 89-94 Reichhold Chemicals (Remand)(BF)
 89-151 Brian J. Peter (RF)
 AC 89-156 John Gordon (BF)
 89-157 Clybourn Metal Finishing Company (JD)
 89-158 Gilbertson Clybourn (BF)
 89-169 John & Jean Zarlenga (JA)
 89-179 Tony & Patricia Martin (MN)
 AC 89-215 Omer Thomas (BF)
 AC 89-258 Donald Taylor (BF)
 AC 89-268 William and Betty Jayne (BF)
 90-12 Hysan Corporation (MN)
 AC 90-36 ESG Watts, Inc. (JTM)
 AC 90-38 Harold Fults (JD)
 AC 90-42 Robert Wheeler (BF)
 AC 90-56 Steve Gilbert (JD)
 90-59 Michael L. Christianson (MN)
 AC 90-59 Southern Pacific Railroad (RF)
 90-61 Duraco, Inc. (JCM)
 90-62 Sure-Tan, Inc. (JCM)
 90-66 Robinson Farm Service (RF)
 AC 90-79 Al Springman (JA)
 AC 90-81 George Ribble (JA)
 * 90-95 ESG Watts (JD)(due 3/28)
 90-102 State Oil Company (JTM)
 90-108 Joseph & Pamela Stratton (JD)
 90-111 Seegers Grain Company (JA)
 90-135 The Grigoleit Company (BF)
 * 90-144 ESG Watts (JTM)(due 3/28)
 90-146 Village of Matteson (BF)

PENDING CASES ASSIGNED: (Cont'd)

90-152 Panhandle Eastern Pipeline Company (BF)
90-167 City of Morris (RF)(due 2/7)
* 90-173 Earl R. Bradd (JA)(due 4/11)
90-180 Container Corporation (JCM)
* 90-199 Dept. of the Army (JA)(due 2/28)
* 90-216 Clean Quality Resources (MN)(due 3/14)
90-217 Raging Rivers Park (MN)
90-218 A.B. Dick Company (RF)
* 90-219 GSF Energy, Inc. (JTM)(due 3/14)
* 90-224 City of Prospect Heights (RF)(due 3/28)
* 90-226 City of Toluca (JCM)(due 3/28)
* 90-229 North Suburban Public Utility ((RF)(due 3/28)
90-230 F.S. Madison Service Company (JM)
* 90-231 Frank Whitlock (JTM)(due 4/11)
* 90-239 Madison County Conservation (BF)(due 4/11)